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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,106	09/08/2003	Wolfgang Jugovec	2001P04281WOUS	7057

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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,106

Applicant(s)

JUGOVEC ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-22-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

1. Claim 4 recites "the step of determining correct syntax". There is insufficient antecedent basis for this limitation in the claim.
2. Claim 6 recites "the step of supplementing text messages" and "said step of sending". There is insufficient antecedent basis for this limitation in the claim.
3. Claim 7 recites "the step of grouping" and "the step of sending". There is insufficient antecedent basis for this limitation in the claim.
4. Claim 8 recites "the step of phonetically supplementing words" and "said step of sending". There is insufficient antecedent basis for this limitation in the claim.
5. Claim 9 recites "the step of prosodically supplementing words" and "said step of sending". There is insufficient antecedent basis for this limitation in the claim.
6. Claim 11 recites "the step of suppressing noise". There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2645

7. Claim 15 recites "the step of generating a service" and "said step of sending". There is insufficient antecedent basis for this limitation in the claim.

8. Claim 18 recites "the voice input module" (line 14-15), "said at least one assigned database" (line 15). There is insufficient antecedent basis for this limitation in the claim. The recited "voice input unit" (line 20) should be "voice input module" as claimed in line 3.

9. Claim 22 recites "said switchboard unit". There is insufficient antecedent basis for this limitation in the claim.

10. Claim 23 recites "the speech synthesis unit" and "the speech recognition unit". There is insufficient antecedent basis for this limitation in the claim.

11. Claims 25, 26 recite "said switchboard unit". There is insufficient antecedent basis for this limitation in the claim.

Drawings

Art Unit: 2645

12. The drawings are objected to because proper legends were missing. A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

13. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed “voice output module comprises a text processing unit, a speech synthesis unit and a voice output dispatcher” in claim 19, the claimed “voice input module comprises an acoustic preprocessing unit, a speech recognition unit, and a text output dispatcher” of claim 20 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

Art Unit: 2645

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “said messages” (line 5-6) is not clearly defined. It is unclear the claimed “said messages” refers to “response messages” (line 1) or incoming messages (line 1-2). Also, the phrase “storing said respective message.....as a standardized address” (line 12-13)) is not clearly defined. The Examiner cannot understand the meaning of “storing said message....as a standardized address”.

15. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase “said messages” (line 10-11) is not clearly defined. It is unclear the claimed “said messages” refers to “messages” (line 5) or “storing messages” (line 10).

Art Unit: 2645

16. Regarding claims 22, 24, the term "and/or" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

17. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "said interfaces being designed.....units can be exchanged with one another on said servers". It is unclear how units (physical hardwares) can be exchanged via interfaces.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 1-10, 13-25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia et al (US: 6907112), and in view of Isotalo (US: 6671366).

Regarding claims 1, 5, 18, 27, Guedalia et al teach on column 32 line 53-65, a sender enters own email address (claimed "sources") and subject of the voice message (claimed

Art Unit: 2645

“types”). Guedalia et al teach on column 8 line 28-30, reply to an incoming email. The incoming email address (claimed “source”) must be analyzed for reply.

The sender’s email address and the subject are specific to the particular incoming message (reads on claimed “linking a type and a source with a respective message”).

Guedalia et al teach on item 180 Fig. 1A, email database. The incoming email includes the sender’s email address and the subject and is stored in the database (claimed “first storage area”). The database must have an storage address for storing the particular email.

Guedalia et al teach on Fig. 1B and column 23 line 34-40, incoming call is converted into queries for accessing emails from an email database. The queries are conveyed to the email database.

Guedalia et al teach on column 23 line 54-57, email management system (claimed “database”) posts a recorded message as a reply (reads on claimed “generating response messages”). Each message stored in a database must have a unique storage area. Therefore, the response message must be stored in a second storage area.

Guedalia et al failed to teach “assigning to an agent”. However, Isotalo teaches on column 8 line 1-4, if the call cannot be connected to the destination route the call to an operator.

Guedalia et al teach on column 20 line 29-53, sending a reply to the original message sender (claimed “respective sources”). The reply is an audio file (claimed “audio format”) downloaded and played on a computer (claimed “one voice output module”).

It would have been obvious to one skilled at the time the invention was made to modify Guedalia et al to have the “assigning to an agent” as taught by Isotalo such that the modified

Art Unit: 2645

system of Guedalia et al would be able to support the system users conveniences of forwarding a call to an operator when the call cannot be connected to the destination.

Regarding claim 2, Guedalia et al failed to teach “response messages in audio format are supplemented with fixed speech texts”. However, Guedalia et al teach on column 8 line 45-46, converting incoming email from text to speech. It is obvious to implement the same for a response message by converting text into speech.

It would have been obvious to one skilled at the time the invention was made to modify Guedalia et al to have the “response messages in audio format are supplemented with fixed speech texts” as taught by Guedalia et al such that the modified system of Guedalia et al would be able to support the system users conveniences of converting response messages from text to speech.

Regarding claim 3, the modified system Guedalia et al in view of Isotalo teach a method of storing response messages, and a call is forwarded to an operator.

It would have been obvious to one skilled at the time the invention was made to modify Guedalia et al to have the “agent response messages are stored in the second storage” as taught by Isotalo such that the modified system of Guedalia et al would be able to support the system users conveniences of storing agents’ response messages.

Regarding claims 4, 10, Guedalia et al teach on column 23 line 16, email parser.

Art Unit: 2645

Regarding claim 6, Guedalia et al teach on column 20 line 32, a text email reply (claimed “supplementing text messages”). The text email reply is stored before it is sent to the original message sender. The reply is a response to the incoming email. Therefore, the reply messages are dependent upon a result of converting original email from text to audio.

Regarding claim 7, Guedalia et al teach on item 180 Fig. 1A, email database (claimed “text preprocessing unit”).

Regarding claims 8, 9, Guedalia et al teach on column 20 line 29-38, the response is an audio file (reads on claimed “phonetically supplementing words” and “prosodically supplementing words”). Every language is a foreign language in view of another language.

Regarding claim 13, rejections as stated in claim 1 above apply.

The incoming email is the claimed inquiries.

Guedalia et al teach on item 190 Fig. 1A, an email database. Guedalia et al teach on Fig. 2A, the voice response computer (including the email database) is external to the user (item 200 Fig. 2A).

Guedalia teach the reply is directed to the original message sender (claimed “conveying inquiry response messages to said inquiries”).

Art Unit: 2645

Regarding claim 14, Guedalia et al teach on Fig. 2A, the incoming emails (claimed “inquiries”) are directed to the internet web server (item 230 Fig. 2A; claimed “information provider”) for posting the message to the receiver.

Regarding claim 15, Guedalia et al teach on item 230 Fig. 2A, posting the incoming message via the web server is the claimed “service”.

Regarding claims 16, 17, Guedalia et al teach on item 192, 194, Fig. 1B, threads (claimed “threshold”).

Regarding claim 19, Guedalia et al teach on item 290 Fig. 2A, column 8 line 45, contact’s computer (claimed “voice output module”) includes audio email client (claimed “text processing unit”), WAV player (claimed “voice output dispatcher”), and text to speech (reads on claimed “speech synthesis”).

Regarding claim 20, Guedalia et al teach on Fig. 1A, voice response computer (claimed “voice input module”) includes “voice processing board” (claimed “acoustic processing unit”), “speech-to-text” (claimed “speech recognition unit”), “email client” (claimed “text output dispatcher”).

Regarding claim 21, Guedalia et al teach on item 200 Fig. 2A, telephone. There must be a telephone switch connecting to the telephone. Guedalia et al teach on item 230 Fig. 2A, internet web server (claimed “interactive machine”).

Regarding claim 22, Guedalia et al teach on Fig. 2A, the voice response computer (claimed “voice input module”), the contact’s computer (claimed “voice output module”), and the inherently existing switch are distributed.

Regarding claim 23, rejections as stated in claims 18, 19, 20 above apply.

Guedalia teach incoming messages and responses are exchanged among the speech-to-text, realaudio server, and realaudio encoder. There must be interfaces connecting these units for exchanging messages.

Regarding claim 24, rejections as stated in claim 1, 18 above apply.

The means for forwarding a call to the operator is the claimed “load distribution facility for assigning incoming calls”.

Regarding claim 25, see Fig. 2A.

19. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia et al, and in view of Isotalo, and further in view of Mattila et al (US: 6810273).

The modified system of Guedalia et al in view of Isotalo as stated in claim 1 above failed to teach “suppressing noise”. However, Mattila et al teaches on column 1 line 6-12, a noise suppressor suppressing acoustic noise.

It would have been obvious to one skilled at the time the invention was made to modify Guedalia et al in view of Isotalo to have the “suppressing noise” as taught by Mattila et al such that the modified system of Guedalia et al in view of Isotalo would be able to support the system users conveniences of suppressing the noise.

20. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia et al, and in view of Isotalo, and further in view of Tomita (US: 6233648).

The modified system of Guedalia et al in view of Isotalo as stated in claim 1 above failed to teach “providing a field in said standard address”. However, Tomita teaches on column 6 line 7-8, a logical address block includes a time stamp.

It would have been obvious to one skilled at the time the invention was made to modify Guedalia et al in view of Isotalo to have the “providing a field in said standard address” as taught by Tomita such that the modified system of Guedalia et al in view of Isotalo would be able to support the system users conveniences of including a time filed in the memory address.

21. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guedalia et al, and in view of Isotalo.

The modified system of Guedalia et al in view of Isotalo as stated in claim 26 failed to teach connectionless or connection-oriented use”. However, “Official Notice” is taken that a

Art Unit: 2645

switchboard connecting to a network via a wireline or a trunk (claimed "connection-oriented") is old and well known to one skilled in the art.

Conclusion

22. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Chen et al (US: 6847833).

23. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Application/Control Number: 10/656,106

Page 14

Art Unit: 2645

Commissioner of Patents and Trademarks


Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow



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